

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Steven A. Bogen, Herbert H. Loeffler and John A. Purbrick

Continuation of: Application No. 09/688,619

Filed: October 16, 2000

Title: RANDOM ACCESS SLIDE STAINER WITH INDEPENDENT SLIDE
HEATING REGULATION

SAD
3
2-22-02

Date: 12/30/01

EXPRESS MAIL LABEL NO. EV005370189 ZKS

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This Information Disclosure Statement is submitted:

☐ under 37 CFR 1.129(a), or

(First/Second submission after Final Rejection)

☒ under 37 CFR 1.97(b), or

(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).

☐ under 37 CFR 1.97(c) together with either:

☐ a Statement under 37 CFR 1.97(e), as checked below, or

☐ a \$180.00 fee under 37 CFR 1.17(p), or

(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

☐ under 37 CFR 1.97(d) together with:

☐ a Statement under 37 CFR 1.97(e), as checked below, and

☐ a \$180.00 fee under 37 CFR 1.17(p), or

(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)

☐ under 37 CFR 1.97(i):

Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.

(Filed after payment of issue fee)



Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
- ☐ Copies of the cited references are enclosed.
- ☒ Copies of cited references are enclosed except those entered in prior application, U.S. Application No. 09/688,619, to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]
- ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
- ☐ The "concise explanation" requirement (non-English references) for reference(s) [] under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
- ☐ the explanation provided in the Specification.
- ☐ submission of the enclosed International Search Report.
- ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
- ☐ the enclosed English language abstract.

☐ Applicant requests that the following non-published pending applications be considered:

Examiner's
Initials

_____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

_____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

_____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

Examiner

Date

- ☐ A copy of each above-cited application, including the current claims, is enclosed.
- ☐ A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

- ☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.
- ☐ Please charge Deposit Account 08-0380 in the amount of \$[]. A copy of this Statement is enclosed.
- ☒ Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By


James M. Smith

Registration No.: 28,043

Telephone: (978) 341-0036

Facsimile: (978) 341-0136

Concord, MA 01742-9133

Dated: 12/19/11

PTO-2449 REPRODUCED INFORMATION DISCLOSURE CITATION IN AN APPLICATION December 14, 2001 (Use several sheets if necessary)				ATTORNEY DOCKET NO. 1159.1006-008		APPLICATION NO. Cont. of 09/688,619	
				APPLICANT Steven A. Bogen et al.			
				FILING DATE		GROUP	

Jc781 U.S. PTO
 10/027746
 12/20/01

U.S. PATENT DOCUMENTS							
EXAM- INER INI- TIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	AA	3,853,092	12/10/74	Amos et al.	118	56	
	AB	3,979,576	09/76	Janson	219	489	
	AC	4,043,292	08/23/77	Rogers et al.	118	5	
	AD	4,092,952	06/06/78	Wilkie et al.	118	58	
	AE	4,358,470	11/09/82	Rasmussen	427	4	
	AF	4,384,193	05/83	Kledzik et al.	219	521	
	AG	4,543,236	09/24/85	von Gise	422	50	
	AH	4,629,862	12/86	Kitagawa et al.	219	200	
	AI	4,731,335	03/15/88	Brigati	436	180	
	AJ	4,847,208	07/11/89	Bogen	436	174	
	AK	4,858,155	08-15-89	Okawa et al.	364	557	

FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
	AL	0 201 780	11/20/86	EPO			X
	AM	WO 93/09486	05-13-93	PCT			
	AN						
	AO						
	AP						
	AQ						

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
AR	Stross, W.P., et al., "Automation of APAAP Immunocytochemical Technique," J. Clin. Pathol., 42:106-112 (1989).
AS	Stark, E., et al., "An Automated Device for Immunocytochemistry," Journal of Immunological Methods, 107:89-92 (1988).
AT	MaWhinney, W.H.B., et al., "Automated Immunochemistry," J. Clin. Pathol., 43(7): 591-596 (1990).

EXAMINER	DATE CONSIDERED
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PTO-1449 REPRODUCED

ATTORNEY DOCKET NO.
1159.1006.008APPLICATION NO.
Cont. of 09/688,619INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

December 14, 2001

(Use several sheets if necessary)

APPLICANT
Steven A. Bogen et al.

FILING DATE

GROUP

U.S. PATENT DOCUMENTS

EXAM- INER INI- TIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	AA2	4,865,986	09-12-89	Coy et al.	435	290	
	AB2	4,933,146	06/12/90	Meyer et al.	422	63	
	AC2	4,985,206	01/15/91	Bowman et al.	422	99	
	AD2	5,073,504	12/17/91	Bogen	436	174	
	AE2	5,075,079	12/91	Kerr et al.	422	64	
	AF2	5,105,066	04/92	Houdy et al.	219	385	
	AG2	5,154,889	10/92	Muraishi	422	65	
	AH2	5,207,987	05/93	Kureshy et al.	422	67	
	AI2	5,231,029	07/27/93	Wootton et al.	435	289	
	AJ2	5,246,665	09/21/93	Tyranski et al.	422	64	
	AK2	5,273,905	12/93	Muller et al.	435	301	
	AA3	5,280,156	01/94	Niori et al.	219	385	
	AB3	5,316,452	05/31/94	Bogen et al.	417	412	
	AC3	5,425,918	06/20/95	Healey et al.	422	64	
	AD3	5,439,649	08/08/95	Tseung et al.	422	99	
	AE3	5,475,610	12/12/95	Atwood et al.	364	500	
	AF3	5,496,518	03/96	Arai et al.	422	64	
	AG3	5,523,056	06/96	Miller	422	64	
	AH3	5,595,707	01/21/97	Copeland et al.	422	64	
	AI3	5,601,141	02-11-97	Gordon et al.	165	263	
	AJ3	5,645,114	07/08/97	Bogen et al.	141	145	
	AK3	5,819,842	10-13-98	Potter et al.	165	206	

EXAMINER

DATE CONSIDERED